

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

DEBRA L. ZWEIFEL-POEHLMANN AKA  
DEBRA LEA ZWEIFEL-POEHLMANN  
26357 McBean Parkway  
Santa Clara, CA 91355

Registered Nurse License No. 526446  
Public Health Nurse Certificate No. 56449  
Nurse Practitioner (NP) Certificate No. 10004  
Nurse Practitioner (NP) Furnishing Certificate  
No. 10004

Respondent

Case No. 2008-38

OAH No.

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in the above entitled matter.

This Decision shall become effective on November 16, 2008.

IT IS SO ORDERED October 17, 2008.



President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 GLORIA A. BARRIOS  
Supervising Deputy Attorney General  
3 MICHEL W. VALENTINE, State Bar No. 153078  
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Attorneys for Complainant  
7

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

12 DEBRA L. ZWEIFEL-POEHLMANN AKA  
DEBRA LEA ZWEIFEL-POEHLMANN  
13 26357 McBean Parkway  
Santa Clarita, CA 91355  
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Registered Nurse License No. 526446  
15 Public Health Nurse Certification No. 56449  
Nurse Practitioner (NP) Certificate No. 10004  
16 Nurse Practitioner (NP) Furnishing Certificate  
No. 10004  
17

18 Respondent.  
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Case No. 2008-38

OAH No. L-2007110072

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

20 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the  
21 above-entitled proceedings that the following matters are true:

22 **PARTIES**

23 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) is the Executive Officer of  
24 the Board of Registered Nursing. She brought this action solely in her official capacity and is  
25 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,  
26 by Michel W. Valentine, Deputy Attorney General.

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2. Respondent Debra L. Zweifel-Poehlmann aka Debra Lea  
Zweifel-Poehlmann is represented in this proceeding by attorney Michael D. Brown, whose  
address is 7100 Hayvenhurst Avenue, Suite 310, Van Nuys, CA 91406.

3. On or about September 12, 1996, the Board of Registered Nursing issued  
Registered Nurse License No. 526446 to Debra L. Zweifel-Poehlmann aka Debra Lea  
Zweifel-Poehlmann. The Registered Nurse License was in full force and effect at all times  
relevant to the charges brought in Accusation No. 2008-38 and will expire on September 30,  
2008, unless renewed.

3. On or about October 17, 1996, the Board of Registered Nursing issued  
Public Health Nurse Advanced Certification No. 56449 to Debra L. Zweifel-Poehlmann aka  
Debra Lea Zweifel-Poehlmann. The Public Health Nurse advance certification was and will  
expire on September 30, 2008, unless renewed.

4. On or about July 9, 1999, the Board of Registered Nursing issued Nurse  
Practitioner (NP) Certification, issued July 20, 1998, and NP Furnishing Certification No. 10004  
to Debra L. Zweifel-Poehlmann aka Debra Lea Zweifel-Poehlmann and will expire on September  
30, 2008, unless renewed.

#### **JURISDICTION**

5. Accusation No. 2008-38 was filed before the Board of Registered Nursing  
(Board), Department of Consumer Affairs, and is currently pending against Respondent. The  
Accusation and all other statutorily required documents were properly served on Respondent on  
August 21, 2007. Respondent timely filed her Notice of Defense contesting the Accusation. A  
copy of Accusation No. 2008-38 is attached as exhibit A and incorporated herein by reference.

#### **ADVISEMENT AND WAIVERS**

6. Respondent has carefully read, fully discussed with counsel, and  
understands the charges and allegations in Accusation No. 2008-38. Respondent has also  
carefully read, fully discussed with counsel, and understands the effects of this Stipulated  
Settlement and Disciplinary Order.

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8. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

9. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

**CULPABILITY**

10. Respondent understands and agrees that the charges and allegations in Accusation No. 2008-38, if proven at a hearing, constitute cause for imposing discipline upon her Registered Nurse License as well as for her Public Health Nurse Advanced Certification and her Nurse Practitioner (NP) Certification, issued July 20, 1998, and NP Furnishing Certification.

11. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation, and that Respondent hereby gives up her right to contest those charges.

12. Respondent agrees that her Registered Nurse License is subject to discipline and she agrees to be bound by the Board of Registered Nursing (Board) 's imposition of discipline as set forth in the Disciplinary Order below.

### CIRCUMSTANCES IN MITIGATION

13. Respondent Debra L. Zweifel-Poehlmann aka Debra Lea Zweifel-Poehlmann has never been the subject of any disciplinary action. She is admitting responsibility at an early stage in the proceedings.

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1                   **Severability Clause.** Each condition of probation contained herein is a separate  
2 and distinct condition. If any condition of this Order, or any application thereof, is declared  
3 unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other  
4 applications thereof, shall not be affected. Each condition of this Order shall separately be valid  
5 and enforceable to the fullest extent permitted by law.

6                   1.       **Obey All Laws.** Respondent shall obey all federal, state and local laws.  
7 A full and detailed account of any and all violations of law shall be reported by Respondent to  
8 the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of  
9 compliance with this condition, Respondent shall submit completed fingerprint forms and  
10 fingerprint fees within 45 days of the effective date of the decision, unless previously submitted  
11 as part of the licensure application process.

12                   **Criminal Court Orders:** If Respondent is under criminal court orders, including  
13 probation or parole, and the order is violated, this shall be deemed a violation of these probation  
14 conditions, and may result in the filing of an accusation and/or petition to revoke probation.

15                   2.       **Comply with the Board's Probation Program.** Respondent shall fully  
16 comply with the conditions of the Probation Program established by the Board and cooperate  
17 with representatives of the Board in its monitoring and investigation of the Respondent's  
18 compliance with the Board's Probation Program. Respondent shall inform the Board in writing  
19 within no more than 15 days of any address change and shall at all times maintain an active,  
20 current license status with the Board, including during any period of suspension.

21                   Upon successful completion of probation, Respondent's license shall be fully  
22 restored.

23                   3.       **Report in Person.** Respondent, during the period of probation, shall  
24 appear in person at interviews/meetings as directed by the Board or its designated  
25 representatives.

26                   4.       **Residency, Practice, or Licensure Outside of State.** Periods of  
27 residency or practice as a registered nurse, nurse practitioner and/or public health nurse  
28 outside of California shall not apply toward a reduction of this probation time period.

Respondent's probation is tolled, if and when she resides outside of California. Respondent must provide written notice to the Board within 15 days of any change of residency or practice outside the state, and within 30 days prior to re-establishing residency or returning to practice in this state.

Respondent shall provide a list of all states and territories where she has ever been licensed as a registered nurse, vocational nurse, or practical nurse. Respondent shall further provide information regarding the status of each license and any changes in such license status during the term of probation. Respondent shall inform the Board if she applies for or obtains a new nursing license during the term of probation.

5. **Submit Written Reports.** Respondent, during the period of probation, shall submit or cause to be submitted such written reports/declarations and verification of actions under penalty of perjury, as required by the Board. These reports/declarations shall contain statements relative to Respondent's compliance with all the conditions of the Board's Probation Program. Respondent shall immediately execute all release of information forms as may be required by the Board or its representatives.

Respondent shall provide a copy of this Decision to the nursing regulatory agency in every state and territory in which she has a registered nurse license.

6. **Function as a Registered Nurse.** Respondent, during the period of probation, shall engage in the practice of registered/public/nursing and nurse practitioner in California for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

For purposes of compliance with the section, "engage in the practice of registered/public nursing" and nurse practitioner may include, when approved by the Board, volunteer work as a registered nurse, or work in any non-direct patient care position that requires licensure as a registered nurse.

The Board may require that advanced practice nurses engage in advanced practice nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

1           If Respondent has not complied with this condition during the probationary term,  
2 and Respondent has presented sufficient documentation of her good faith efforts to comply with  
3 this condition, and if no other conditions have been violated, the Board, in its discretion, may  
4 grant an extension of Respondent's probation period up to one year without further hearing in  
5 order to comply with this condition. During the one year extension, all original conditions of  
6 probation shall apply.

7           **7. Employment Approval and Reporting Requirements.** Respondent  
8 shall obtain prior approval from the Board before commencing or continuing any employment,  
9 paid or voluntary, as a registered public and/or nurse practitioner. Respondent shall cause to be  
10 submitted to the Board all performance evaluations and other employment related reports as a  
11 registered nurse upon request of the Board.

12           Respondent shall provide a copy of this Decision to her employer and immediate  
13 supervisors prior to commencement of any nursing or other health care related employment.

14           In addition to the above, Respondent shall notify the Board in writing within  
15 seventy-two (72) hours after she obtains any nursing or other health care related employment.  
16 Respondent shall notify the Board in writing within seventy-two (72) hours after she is  
17 terminated or separated, regardless of cause, from any nursing, or other health care related  
18 employment with a full explanation of the circumstances surrounding the termination or  
19 separation.

20           **8. Supervision.** Respondent shall obtain prior approval from the Board  
21 regarding Respondent's level of supervision and/or collaboration before commencing or  
22 continuing any employment as a registered nurse, or education and training that includes patient  
23 care.

24           Respondent shall practice only under the direct supervision of a registered nurse  
25 in good standing (no current discipline) with the Board of Registered Nursing, unless alternative  
26 methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician)  
27 are approved.



Respondent's level of supervision and/or collaboration may include, but is not limited to the following:

(a) Maximum - The individual providing supervision and/or collaboration is present in the patient care area or in any other work setting at all times.

(b) Moderate - The individual providing supervision and/or collaboration is in the patient care unit or in any other work setting at least half the hours Respondent works.

(c) Minimum - The individual providing supervision and/or collaboration has person-to-person communication with Respondent at least twice during each shift worked.

(d) Home Health Care - If Respondent is approved to work in the home health care setting, the individual providing supervision and/or collaboration shall have person-to-person communication with Respondent as required by the Board each work day. Respondent shall maintain telephone or other telecommunication contact with the individual providing supervision and/or collaboration as required by the Board during each work day. The individual providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to patients' homes visited by Respondent with or without Respondent present.

9. **Employment Limitations.** Respondent shall not work for a nurse's registry, in any private duty position as a registered/public and/or nurse practitioner, a temporary nurse placement agency, a traveling nurse, or for an in-house nursing pool.

Respondent shall not work for a licensed home health agency as a visiting nurse unless the registered nursing supervision and other protections for home visits have been approved by the Board. Respondent shall not work in any other registered nursing occupation where home visits are required.

Respondent shall not work in any health care setting as a supervisor of registered/public nurses and or nurse practitioner. The Board may additionally restrict Respondent from supervising licensed vocational nurses and/or unlicensed assistive personnel on a case-by-case basis.

Respondent shall not work as a faculty member in an approved school of nursing or as an instructor in a Board approved continuing education program.

Respondent shall work only on a regularly assigned, identified and predetermined worksite(s) and shall not work in a float capacity.

If Respondent is working or intends to work in excess of 40 hours per week, the Board may request documentation to determine whether there should be restrictions on the hours of work.

10. **Complete a Nursing Course(s).** Respondent, at her own expense, shall enroll and successfully complete a course(s) relevant to the practice of registered nursing no later than six months prior to the end of her probationary term.

Respondent shall obtain prior approval from the Board before enrolling in the course(s). Respondent shall submit to the Board the original transcripts or certificates of completion for the above required course(s). The Board shall return the original documents to Respondent after photocopying them for its records.

11. **Cost Recovery.** Respondent shall pay to the Board costs associated with its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the amount of \$4,000.00. Respondent shall be permitted to pay these costs in a payment plan approved by the Board, with payments to be completed no later than three months prior to the end of the probation term.

If Respondent has not complied with this condition during the probationary term, and Respondent has presented sufficient documentation of her good faith efforts to comply with this condition, and if no other conditions have been violated, the Board, in its discretion, may grant an extension of Respondent's probation period up to one year without further hearing in order to comply with this condition. During the one year extension, all original conditions of probation will apply.

12. **Violation of Probation.** If Respondent violates the conditions of her probation, the Board after giving Respondent notice and an opportunity to be heard, may set aside the stay order and impose the stayed discipline (revocation/suspension) of Respondent's license.

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1           If during the period of probation, an accusation or petition to revoke probation has  
2 been filed against Respondent's license or the Attorney General's Office has been requested to  
3 prepare an accusation or petition to revoke probation against Respondent's license, the  
4 probationary period shall automatically be extended and shall not expire until the accusation or  
5 petition has been acted upon by the Board.

6           13.     **License Surrender.** During Respondent's term of probation, if she ceases  
7 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of  
8 probation, Respondent may surrender her license to the Board. The Board reserves the right to  
9 evaluate Respondent's request and to exercise its discretion whether to grant the request, or to  
10 take any other action deemed appropriate and reasonable under the circumstances, without  
11 further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent  
12 will no longer be subject to the conditions of probation.

13           Surrender of Respondent's license shall be considered a disciplinary action and  
14 shall become a part of Respondent's license history with the Board. A registered nurse whose  
15 license has been surrendered may petition the Board for reinstatement no sooner than the  
16 following minimum periods from the effective date of the disciplinary decision:

17           (1)     Two years for reinstatement of a license that was surrendered for any  
18 reason other than a mental or physical illness; or

19           (2)     One year for a license surrendered for a mental or physical illness.

20           14.     **Mental Health Examination.** Respondent shall, within 45 days of the  
21 effective date of this Decision, have a mental health examination including psychological testing  
22 as appropriate to determine her capability to perform the duties of a registered nurse. The  
23 examination will be performed by a psychiatrist, psychologist or other licensed mental health  
24 practitioner approved by the Board. The examining mental health practitioner will submit a  
25 written report of that assessment and recommendations to the Board. All costs are the  
26 responsibility of Respondent. Recommendations for treatment, therapy or counseling made as a  
27 result of the mental health examination will be instituted and followed by Respondent.

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1           If Respondent is determined to be unable to practice safely as a registered nurse,  
2 the licensed mental health care practitioner making this determination shall immediately notify  
3 the Board and Respondent by telephone, and the Board shall request that the Attorney General's  
4 office prepare an accusation or petition to revoke probation. Respondent shall immediately cease  
5 practice and may not resume practice until notified by the Board. During this period of  
6 suspension, Respondent shall not engage in any practice for which a license issued by the Board  
7 is required, until the Board has notified Respondent that a mental health determination permits  
8 Respondent to resume practice. This period of suspension will not apply to the reduction of this  
9 probationary time period.

10           If Respondent fails to have the above assessment submitted to the Board within  
11 the 45-day requirement, Respondent shall immediately cease practice and shall not resume  
12 practice until notified by the Board. This period of suspension will not apply to the reduction of  
13 this probationary time period. The Board may waive or postpone this suspension only if  
14 significant, documented evidence of mitigation is provided. Such evidence must establish good  
15 faith efforts by Respondent to obtain the assessment, and a specific date for compliance must be  
16 provided. Only one such waiver or extension may be permitted.

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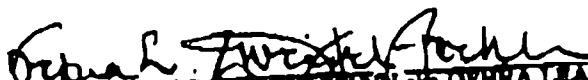
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**ACCEPTANCE**

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Michael D. Brown. I understand the stipulation and the effect it will have on my Registered Nurse License, and Public Health Nurse Advanced Certification, and Nurse Practitioner (NP) Certification, issued July 20, 1998, and NT Furnishing Certification. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: 6/12/08

  
DEBRA L. ZWEIFEL-POEHLMANN aka DEBRA LEE  
ZWEIFEL-POEHLMANN (Respondent)

I have read and fully discussed with Respondent Debra L. Zweifel-Poehlmann aka Debra Lee Zweifel-Poehlmann the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 6-12-08

  
MICHAEL D. BROWN  
Attorney for Respondent

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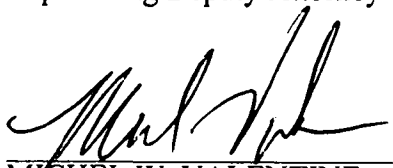
**ENDORSEMENT**

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

DATED: 6/12/08

EDMUND G. BROWN JR., Attorney General  
of the State of California

GLORIA A. BARRIOS  
Supervising Deputy Attorney General



MICHEL W. VALENTINE  
Deputy Attorney General

Attorneys for Complainant

LA2007600493  
60304253.wpd

**Exhibit A**

**Accusation No. 2008-38**

1 EDMUND G. BROWN JR. Attorney General  
of the State of California  
2 GLORIA A. BARRIOS  
Supervising Deputy Attorney General  
3 MICHEL W. VALENTINE, State Bar No. 153078  
Deputy Attorney General  
4 California Department of Justice  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-1034  
6 Facsimile: (213) 897-2804

7 Attorneys for Complainant

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
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12 In the Matter of the Accusation Against:

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DEBRA LEA ZWEIFEL-POEHLMANN  
26357 McBean Parkway  
Santa Clarita, CA 91355

**ACCUSATION**

14 Registered Nurse License No. 526446  
Public Health Nurse Certification No. 56449  
15 Nurse Practitioner (NP) Certificate No. 10004  
Nurse Practitioner (NP) Furnishing Certificate  
16 No. 10004

17 Respondent.  
18

19 Complainant alleges:

20 PARTIES

21 1. Ruth Ann Terry, M.P.H., R.N. (Complainant), brings this Accusation  
22 solely in her official capacity as the Executive Officer of the Board of Registered Nursing,  
23 Department of Consumer Affairs (Board).

24 2. On or about September 12, 1996, the Board issued Registered Nurse  
25 License No. 526446 to Debra L. Zweifel-Poehlmann aka Debra Lea Zweifel-Poehlmann  
26 (Respondent). The Registered Nurse License was in full force and effect at all times relevant to  
27 the charges brought herein and will expire on September 30, 2008, unless renewed.

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3. On or about October 17, 1996, the Board issued Public Health Nurse Advanced Certification No. 56449 to Respondent. The Public Health Nurse Advance Certification was in full force and effect at all times relevant to the charges brought herein and will expire on September 30, 2008, unless renewed.

4. On or about July 9, 1999 and July 20, 1999, the Board issued Nurse Practitioner (NP) Certification and NP Furnishing Certification No. 10004 to Respondent. The NP Certification and the NP Furnishing Certification were in full force and effect at all times relevant to the charges brought herein and will expire on September 30, 2008, unless renewed.

## JURISDICTION

5. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

## STATUTORY PROVISIONS

6. Section 2750 of the Code provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

7. Section 2761 of the Code states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(a) Unprofessional conduct, which includes, but is not limited to, the following:

"(1) Incompetence, or gross negligence in carrying out usual certified or licensed nursing functions.

8. California Code of Regulations, title 16, section 1443, states:

"As used in Section 2761 of the code, 'incompetence' means the lack of possession of or the failure to exercise that degree of learning, skill, care and experience ordinarily possessed and exercised by a competent registered nurse as described in Section 1443.5."

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1                   9.       California Code of Regulations, title 16, section 1443.5 states:

2                   "A registered nurse shall be considered to be competent when he/she consistently  
3 demonstrates the ability to transfer scientific knowledge from social, biological and physical  
4 sciences in applying the nursing process, as follows:

5                   "(1) Formulates a nursing diagnosis through observation of the client's physical  
6 condition and behavior, and through interpretation of information obtained from the client and  
7 others, including the health team.

8                   "(2) Formulates a care plan, in collaboration with the client, which ensures that  
9 direct and indirect nursing care services provide for the client's safety, comfort, hygiene, and  
10 protection, and for disease prevention and restorative measures.

11                  "(3) Performs skills essential to the kind of nursing action to be taken, explains  
12 the health treatment to the client and family and teaches the client and family how to care for the  
13 client's health needs.

14                  "(4) Delegates tasks to subordinates based on the legal scopes of practice of the  
15 subordinates and on the preparation and capability needed in the tasks to be delegated, and  
16 effectively supervises nursing care being given by subordinates.

17                  "(5) Evaluates the effectiveness of the care plan through observation of the  
18 client's physical condition and behavior, signs and symptoms of illness, and reactions to  
19 treatment and through communication with the client and health team members, and modifies the  
20 plan as needed.

21                  "(6) Acts as the client's advocate, as circumstances require, by initiating action to  
22 improve health care or to change decisions or activities which are against the interests or wishes  
23 of the client, and by giving the client the opportunity to make informed decisions about health  
24 care before it is provided."

25                  10.       Section 125.3 of the Code provides, in pertinent part, that the Board may  
26 request the administrative law judge to direct a licentiate found to have committed a violation or  
27 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
28 and enforcement of the case.

1 FIRST CAUSE FOR DISCIPLINE

2 (Incompetence)

3 11. Respondent is subject to disciplinary action under sections 2750 and 2761,  
4 subdivision (a)(1) of the Code, on the grounds of unprofessional conduct, in that Respondent  
5 committed incompetence, within the meaning of the California Code of Regulations, title 16,  
6 sections 1443 and 1443.5. The circumstances are as follows:

7 a. On or about March 25, 2002, Patient DH<sup>1</sup> was examined by Respondent at  
8 the doctor's office where Respondent was employed. Respondent was the practitioner taking  
9 responsibility for Patient DH's medical care. At the time of the examination, Respondent  
10 ordered an electrocardiogram (EKG), which appeared normal. On or about July 22, 2002,  
11 Patient DH was again examined by the Respondent after presenting with complaints of left-sided  
12 chest and upper abdominal pain, which was accompanied by shortness of breath, ongoing  
13 anxiety and insomnia, and two tarry bowel movements. Respondent again ordered an EKG. The  
14 EKG was abnormal and showed changes from the EKG taken on or about March 25, 2002,  
15 including heightened ST elevation. Respondent failed to recognize and diagnose Patient DH's  
16 acute myocardial infraction which was in progress at the time of the examination. In addition,  
17 Respondent failed to have the EKG reviewed by a supervising physician. Respondent sent  
18 Patient DH home with a prescription for anxiety and depression.

19 b. On or about July 23, 2002, Patient DH presented at the Encino-Tarzana  
20 Regional Medical Center emergency room, where he underwent unsuccessful emergency surgery  
21 for acute myocardial infraction, which Respondent failed to diagnose the day before. Patient DH  
22 died during surgery.

23 c. Respondent admits she misread that EKG; and, stated that had she read the  
24 EKG correctly on July 22, 2002, she would have immediately notified a physician and called  
25 911.

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1. The patient's full name will be released to Respondent during discovery. Initials are  
used here in order to protect the patient's and his family's privacy.

1 SECOND CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct)

3 12. Respondent is subject to disciplinary action under sections 2750 and 2761,  
4 subdivision (a), of the Code, in that Respondent committed unprofessional conduct, as more  
5 fully discussed in paragraph 11, above.

6 PRAYER

7 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
8 alleged, and that following the hearing, the Board of Registered Nursing, Department of  
9 Consumer Affairs issue a decision:

10 1. Revoking or suspending Registered Nurse License No. 526446, issued to  
11 Debra L. Zweifel-Poehlmann aka Debra Lea Zweifel-Poehlmann;

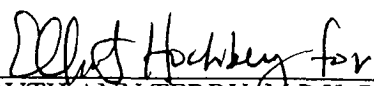
12 2. Revoking or suspending Public Health Nurse Advanced Certification No.  
13 56449, issued to Debra L. Zweifel-Poehlmann aka Debra Lea Zweifel-Poehlmann;

14 3. Revoking or suspending Nurse Practitioner (NP) Certification and NP  
15 Furnishing Certification No. 10004, issued to Debra L. Zweifel-Poehlmann aka Debra Lea  
16 Zweifel-Poehlmann;

17 4. Ordering Debra L. Zweifel-Poehlmann aka Debra Lea Zweifel-Poehlmann  
18 to pay the Board of Registered Nursing, Department of Consumer Affairs the reasonable costs of  
19 the investigation and enforcement of this case, pursuant to Business and Professions Code  
20 section 125.3;

21 5. Taking such other and further action as deemed necessary and proper.

22  
23 DATED: 8/3/07

24  
25   
26 RUTH ANN TERRY, M.P.H., R.N.  
27 Executive Officer  
28 Board of Registered Nursing  
State of California  
Complainant